

sector. Sectors are more interconnected and more interdependent.

Eighty-five percent of the United States' critical infrastructures, the essential services that if disrupted or destroyed would impact our economic or national security such as financial services, telecommunications, transportation, energy, and emergency services, are still owned and operated by the private sector. Osama bin Laden has called on his supporters to attack the pillars of the U.S. economy the private sector.

If the private sector and the Federal Government are increasingly interconnected and are targets for those who wish us ill, it makes sense for both targets to share information with each other. We have to think differently about national security, as well as who is responsible for it. In the past, the defense of the Nation was about geography and an effective military command-and-control structure. Now prevention and protection must shift to partnerships that span private and government interests.

Yet the private sector has no access to government information about possible threats, much of which is often classified. The Federal Government, with its unique information and analytical capabilities, lacks specific information from the private sector on attacks. Both parties have a blind spot and only see parts of the problem. Government and industry would benefit from cooperating in response to threats, vulnerabilities, and actual attacks by sharing information and analysis. If the Department of Homeland Security is tasked to match threats with vulnerabilities, the private sector must be a willing partner.

Although the Senate bipartisan FOIA agreement that I negotiated is not included in the current homeland security bill, I am pleased that the final version includes a number of provisions that will foster critical infrastructure information sharing. As the government and the private sector cooperate and begin to exchange information, we will be in a better position to prevent, respond to and recover from future attacks to our country.

NOMINATION OF MICHAEL McCONNELL

Mr. HARKIN. Mr. President, I wish to express my concerns regarding the confirmation of Michael W. McConnell to serve on the United States 10th Circuit Court of Appeals.

Of President George W. Bush's judicial nominees, Michael W. McConnell is the most hard-line, impassioned, and consistent public foe of a woman's right to choose yet to come before the Senate. His legal views and philosophy are far outside the American mainstream.

This nomination passed out of the Judiciary Committee on November 14, and came before the full Senate on November 15. Given the lack of time to re-

view Professor McConnell's record, an absence of recorded votes in opposition to this nominee should not be taken as a vote of confidence from all Senators.

McConnell is a long-time anti-choice scholar and activist whose views on the constitutional right to privacy leave little doubt about how he would rule in cases involving the right to choose. He believes that *Roe v. Wade* was wrongly decided and that significant restrictions on abortion are appropriate, even while *Roe* stands. He has joined conservative political activists in calling for a constitutional amendment to ban all abortions, possibly even in cases of rape and incest.

This issue of abortion is one in which thoughtful people of good conscience may disagree. However, it is my belief that Michael McConnell's core personal beliefs on the immorality of abortion and the moral status of the embryo, articulated repeatedly in numerous forums including law reviews, op-eds, and legal [or court] briefs, will make it difficult if not impossible for him to consider impartially the cases that would come before him as a judge.

McConnell's view of the Freedom of Access to Clinic Entrances Act also illustrates his inability to be impartial. Not only has he contended that the law is unconstitutional, but his view of the FACE Act is so colored by his opposition to the right to choose that he has expressed his admiration for a judge who blatantly ignored the law in acquitting defendants who broke the law.

Anti-choice legislatures have demonstrated great creativity in creating innovative barriers to a woman's right to choose. The constitutionality of these new barriers is frequently determined by the circuit courts, and is rarely reviewed by the Supreme Court.

It is my hope that the administration will begin to reach across the aisle to identify moderate, consensus nominees. The alternative will be an ongoing crisis in the judiciary. It is also my hope that Professor McConnell is not a harbinger of what is to come when Supreme Court vacancies occur.

ADDITIONAL STATEMENTS

CONGRATULATIONS TO BOB AND MARY JEAN FREESE

• Mr. BAUCUS. Mr. President, I rise to extend my congratulations to Bob and Mary Jean Freese on their 50 years of marriage. During that half century, their loving relationship has not only helped them raise five children, but has served them well in raising two additional generations, with seven grandchildren and one great-grand child.

Bob and Mary Jean were united at Salem Lutheran Church in Spokane, Washington on December 6, 1952. Throughout their lives together they have demonstrated a commitment to public service, and instilled a similar public service ethic in their families.

Bob is the son of a Marine Corps Officer and served honorably in the United

States Air Force for ten years, and later was a plant engineer with Continental Baking Company. Mary Jean was a long time employee in the Spokane County Auditor's office.

While Bob and Mary Jean reside in Spokane, Washington, their daughter-in-law Maria Freese has provided dedicated service to the people of Montana, first as a member of my Senate staff and later as Tax Counsel with the Senate Finance Committee. Their son Terry recently retired from 25 years of service with Congressman Norm Dicks and as a Presidential appointee at the Department of Energy, their daughter Robin works with the state of Washington, their son Russell served with the U.S. Air Force, their daughter Peggy has worked with Spokane Community College. And their youngest son, Tom, has served the public in a number of positions in the automotive industry.

In their retirement, Bob and Mary Jean continue to help others by combining their interest in motorcycles with safety promoting community service at highway rest stops. Mary Jean is also an officer with the Spokane Genealogical Society and is always willing to help people seeking out their roots.

I hope that Bob and Mary Jean will continue to enjoy many more years of happiness together.●

ON THE RETIREMENT OF RIVERSIDE COUNTY SUPERVISOR TOM MULLEN

• Mrs. BOXER. Mr. President, I rise to reflect on the distinguished career of Riverside County Supervisor Tom Mullen, who will retire on December 13, 2002. Supervisor Mullen's passion for good government and good planning has set a standard for his county and for California.

Before his tenure as Supervisor, Tom Mullen worked in the field of law enforcement, serving 11 years with the Riverside Police Department and the Riverside County Sheriff's Department. He also served as an aide to former California State Senator Robert Presley, Director of Intergovernmental Affairs for the Riverside County Transportation Commission, and Director for External Program Development for the University of California, Riverside's College of Engineering and Center for Environmental Research and Technology.

As Supervisor of Riverside County's Fifth District, Mullen helped develop programs for young people, improve education, improve infrastructure, reduce traffic congestion and make the streets safer by adding more police officers to the beat. In recent years, his focus has been on creating a transportation, habitat and housing blueprint for Riverside County, a plan that will guide the rapid development expected to occur in the coming years. Because of his diligent work and vision, Riverside County's plan has won state and